



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

DOD: 1-12-89		MARY ELLEN RODRIGUEZ and DOLORES TRUJILLO , Daughters, were appointed as Co-Administrators without IAEA and with bond of \$8,000.00 on 1-16-1990.	NEEDS/PROBLEMS/COMMENTS:
			<u>Minute Order 1-12-15:</u> The Court needs a verified declaration regarding beneficiaries that are deceased and their dates of death, as well as whom should be noticed on their behalves.
Cont. from 081414, 100214, 110614, 121814		Bond was filed and Letters issued on 1-17-1990.	<u>As of 1-26-15, nothing further has been filed. The following remains noted:</u>
Aff.Sub.Wit.		Nothing further was filed.	
Verified			
Inventory		The open estate was discovered and the Court set this status hearing.	
PTC			
Not.Cred.			
Notice of Hrg		<u>Update:</u> The I&A was filed 10-1-14, and on 12-5-14, Dolores Trujillo filed a Report of Sale and Petition for Order Confirming Sale of Real Property that is set for hearing on 1-12-15.	
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen		<u>Update:</u> On 12-9-14, Attorney Guerrero filed Status Report and Request for Continuance on Filing First Account and Petition for Final Distribution. Ms. Guerrero states the Law Offices of Philip M. Flanigan was recently retained as counsel in this matter. A buyer has been found for the property. Once the sale is confirmed, a petition can be filed for final distribution. 45 days is requested.	
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			Reviewed by: skc
			Reviewed on: 1-26-15
			Updates:
			Recommendation:
			File 1 – Rodriguez

Report of Sale and Petition for Order Confirming Sale of Real Property

		LISA MEGERDICIAN , Conservator, is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Overbid is on 100% of the property. Conservatee only owns a 50% interest of the property. It appears that the overbid should only include the conservatee's 50% interest. Therefore overbid on just Conservatee's 50% interest is \$318,250.00. Note: After approval of the First Account a status hearing was not set therefore a status hearing will be set as follows: • Wednesday, March 2, 2016 at 9:00 a.m. in Department 303, for the filing of the second account. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.
Cont. from		Sale price - \$310,000.00 (100% of the property, conservatee owns a 50% interest)	
	Aff.Sub.Wit.	Overbid - \$326,000.00	
✓	Verified		
✓	Reappraisal	Reappraisal - \$160,000.00 (conservatee's 50% interest)	
	PTC		
	Not.Cred.		
✓	Notice of Hrg	Property - 1362 W. Tenaya Way, Fresno CA	
✓	Aff.Mail W/	Publication - Fresno Business Journal	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen	Buyers - Jay Barnes and Tracy Barnes, husband and wife as joint tenants.	
	Letters		
	Duties/Supp		
	Objections	Broker - \$18,600.00 (6% on 100% interest - payable 3.5 % to Royal Properties and 2.5% to Guarantee Realty)	
	Video Receipt		
	CI Report		
	9202		
✓	Order	Current bond is \$115,000.00 – Petition states bond is sufficient because after payment of debts there will be no proceeds left for the estate.	
✓	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Reviewed by: KT
Reviewed on: 1/27/15
Updates:
Recommendation:
File 2 - Assodourian

DOD: 1-22-13	GWEN G. HEMMINGER , Daughter, was appointed Administrator with Full IAEA with bond of \$550,000.00 on 5-1-13.	NEEDS/PROBLEMS/COMMENTS:
		<u>Continued from 8-1-14</u>
Cont from 080114	At the hearing on 5-1-13, the Court set this status hearing for the filing of the first account or petition for final distribution.	Note: On 10-16-14, a Petition to Recover Assets was dismissed. Nothing further has been filed.
Aff.Sub.Wit.		1. Need first account/petition for final distribution or verified written status report per local rules.
Verified		
Inventory	Note: Ms. Hemminger is a resident of Pensacola, FL.	
PTC		
Not.Cred.	Note: Bond was filed and Letters issued on 6-26-13.	
Notice of Hrg		Examiner's Note: There is at least one Request for Special Notice filed in this case. The Court may require service of this status report, and may require an accounting or Report of Status to be filed and set for noticed hearing pursuant to § 12201.
Aff.Mail	Status Report filed 7-31-14 by Attorney Knudson (not verified) states that as set forth in the report filed 10-3-13, investigation has disclosed that there were assets transferred out of the decedent's accounts both before and after his death. The attorney has been working on an 850 petition to recover those assets, which total more than \$250,000.00.	
Aff.Pub.	The petition may also include causes of action for elder abuse. The estate is working with litigation counsel to prosecute the estate's claims. Kimberly Mahew of Caswell Bell & Hillison LLP will appear at the status hearing. For these reasons, it is not possible to close the estate at this time. The attorney estimates an additional six months or more before the issues can be explored and resolved, and it may take longer if trial is necessary.	
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: skc
Status Rpt		Reviewed on: 1-26-15
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 3 – Green

4 Eleanor A. Kjer (Estate)**Case No. 13CEPR00856****Atty Larson, Timothy J. (for Janice D. Sanders – Administrator/Petitioner)**

(1) Waiver of First and Final Account and Report of Administrator and (2) Petition for Settlement Thereof; for (3) Allowance of Attorney's Fees for Ordinary Services and Reimbursement of Costs Advanced; and for (4) Final Distribution

DOD: 01/01/04	JANICE D. SANDERS , Administrator, is Petitioner.		NEEDS/PROBLEMS/COMMENTS: 1. Property On Hand includes shares of MetLife and Alcatel Lucent, valued at \$944.72 and \$345.56 respectively that according to a footnote on Page 4 of the petition are held by the California State Controller's Office, Unclaimed Property Division, and are in the process of being recovered. Therefore, need clarification regarding how the estate is in a position to close if these assets are not available for distribution.
Cont. from 010515			
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input checked="" type="checkbox"/> Inventory			
<input checked="" type="checkbox"/> PTC			
<input checked="" type="checkbox"/> Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail	w/		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters	11/05/13		
Duties/Supp			
Objections			
Video Receipt			
CI Report			
<input checked="" type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
<input checked="" type="checkbox"/> FTB Notice			

JANICE D. SANDERS, Administrator, is Petitioner.

Accounting is waived.I & A - **\$290,480.01**POH - **\$409,650.74**

(\$16,801.95 is cash)

Administrator - **waived**Attorney - **\$10,606.41** (statutory)

Costs - **\$1,535.48** (filing fees, publication, certified copies, probate referee)

Closing - **\$4,660.06****Distribution, pursuant to intestate succession, is to:**

Janice Sanders - various securities valued at \$151,799.60 (carry value)

James L. Kjer - various securities valued at \$151,799.60 (carry value)

Reviewed by: JF**Reviewed on:** 1-27-15 (skc)**Updates:****Recommendation:****File 4 – Stevens**

(1) First and Final Report of Executor on Waiver of Account and Petition for Settlement Thereof; (2) for Waiver of Executor's Compensation for Ordinary Services; (3) for Allowance of Attorney's Fees for Ordinary Services and (4) for Final Distribution

DOD: 11-11-12		
	Aff.Sub.Wit.	
✓	Verified	
✓	Inventory	
✓	PTC	
✓	Not.Cred.	
✓	Notice of Hrg	
✓	Aff.Mail	w
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
✓	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
✓	9202	
✓	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
✓	FTB Notice	

DONALD MORTON , Executor with Full IAEA without bond, is petitioner. Accounting is waived I&A: \$168,000.00 POH: \$168,000.00 (real property in Kingsburg, CA) Executor (Statutory): Waived Attorney (Statutory): \$6,040.00 Petitioner states that pursuant to Stipulation filed 6-24-14, heir Greg Watkins agreed to receive cash in the amount of \$40,000.00 in lieu of an interest in the real property. Filed concurrently with this petition is a Receipt on Final Distribution signed by Greg Watkins on 4-28-14. Distribution pursuant to the decedent's will and Stipulation filed 6-24-14: Donald Morton: Entire estate (Real property in Kingsburg, CA)

NEEDS/PROBLEMS/COMMENTS: CONTINUED TO 3-10-15 Per Attorney request 1. Notice of Hearing was not served directly on heir Greg Watkins. Although his attorney was served, direct notice is required. See Probate Code §1214 and Cal. Rule of Court 7.51. 2. Donald Morton was appointed Executor pursuant to the Stipulation filed 6-24-14. At that time, distribution was not before the Court, and although the stipulation itself included the proposed payment in lieu of an interest in the real property, such distribution was not considered or authorized by the Court at that time, and the stipulation was considered regarding initial appointment only. See Order After Hearing filed 8-4-14. Therefore, it appears that the payment of \$40,000.00 to Greg Watkins was made prior to any court authorization of the agreement and distribution.
Reviewed by: skc
Reviewed on: 1-26-15
Updates: 1-28-15
Recommendation:
File 5 – Morton

Petition to Vacate Order Confirming Sale and to Authorize Resale

DOD: 7-18-14		<p>STEPHEN LOGIUDICE, Executor with Limited IAEA without bond (estate funds to be blocked) is Petitioner.</p> <p>Petitioner states the sale of real property was confirmed by order of this court on 10-28-14. Due to a mistake of the parties as to whether construction would be allowed on the vacant parcels included in the real property, the parties have agreed that the purchase agreement should be rescinded, escrow canceled, and the deposit returned to the buyer.</p> <p>Under the circumstances, Petitioner does not believe it is reasonable to attempt to retain the buyer's deposit or pursue damages in light of the potential costs of such a dispute with small chance of success.</p> <p>A petition to confirm a sale of the real property to another buyer who is aware of the building restrictions is filed concurrently. (See Page B.)</p> <p>Petitioner prays for an order as follows:</p> <ol style="list-style-type: none"> 1. That the Order Confirming Sale of Real Property entered on 10-28-14 be vacated; 2. That a resale of the property be authorized; and 3. For such further orders as the Court deems proper. 	<p>NEEDS/PROBLEMS/COMMENTS:</p>	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			<p>Reviewed by: skc</p> <p>Reviewed on: 1-27-15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 6A - Logiudice</p>	

Report of Sale and Petition for Order Confirming Sale of Real Property

DOD: 7-18-14		STEPHEN LOGIUDICE , Executor with Limited IAEA without bond, is Petitioner. Sale price: \$310,500.00 Overbid: \$326,525.00 Appraisal: \$327,000.00 Property: 3191 N. Monroe Ave., in Fresno, APN 512-410-04, consisting of 3.54 acres, plus two adjoining parcels consisting of 9.05 acres, APNs 512-120-34 and 512-120-35. (total 12.59 acres) Publication: N/A (Will authorizes sale) Buyer: Jose L. Alvarenga and Iliana I. Ayala Otero, Husband and Wife, as joint tenants Broker: 6% of \$310,500.00 or \$18,630.00 to be split between Greatland Realty Services and M.C. Real Estate Corp. Petitioner states the property was listed on multiple listings, advertised on Realtor.com, Trulia and Zillow. Property sold "AS IS" condition. Seller to pay for Natural Hazard Zone Disclosure Report, Documentary Transfer Tax, and Title Insurance. Escrow expenses to be divided equally between buyer and seller. Petitioner states proceeds will be deposited into blocked accounts.	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> The Executor is a resident of Minnesota.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input checked="" type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Reviewed by: skc
Reviewed on: 1-27-15
Updates:
Recommendation:
File 6B - Logiudice

Probate Status Hearing Re: Filing Inventory and Appraisal

DOD: 12-27-13	LISA MARIE TERAN, Spouse, was appointed Administrator with Full IAEA without bond on 9-29-14 and Letters issued on 10-2-14.	NEEDS/PROBLEMS/COMMENTS: 1. Need Inventory and Appraisal pursuant to Probate Code §8800 or verified written status report pursuant to Local Rule 7.5.
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 1-27-15
		Updates:
		Recommendation:
		File 7 - Teran

DOD: 6-9-14		<div>NEEDS/PROBLEMS/COMMENTS:</div> <div><u>OFF CALENDAR</u></div> <div>I&A filed 1-27-15</div>	
	Aff.Sub.Wit.		
	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		Reviewed by: skc	
		Reviewed on: 1-27-15	
		Updates: 1-28-15	
		Recommendation:	
		File 8 - Meyer	

Probate Status Hearing Re: Filing Inventory and Appraisal

		NEEDS/PROBLEMS/COMMENTS: <u>Continued to 3/2/15.</u> Calendared in error.
Cont. from		
	Aff.Sub.Wit.	
	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	
	Aff.Mail	
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	
		Reviewed by: KT Reviewed on: 1/27/15 Updates: Recommendation: File 9 - Coolidge

Petition for Appointment of Probate Conservator of the Person and Estate (Prob. C. 1820, 1821, 2680-2682)

		TEMPORARY EXPIRES 2/2/15.		NEEDS/PROBLEMS/COMMENTS:	
Cont. from				<p>Note: Petitioner was appointed Temporary Conservator on 1/20/15 with bond set at \$28,000.00. Bond has not been filed and temporary Letters have not issued.</p> <ol style="list-style-type: none"> 1. Petition requests that bond not be required. Probate Code §2320 requires bond plus the cost of recovery. Probate Code §2321 states the court may not waive the filing of a bond or reduce the amount of bond required without a good cause determination by the court that the conservatee will not suffer harm as a result. 2. Attachment 1f to the petition indicates that the Petitioner is requesting dementia powers however the required Judicial Council form GC-313 "Attachment Requesting Special Orders Regarding Dementia" was not attached. This form is a mandatory use form when requesting dementia powers. <p>Please see additional page</p>	
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
✓	Notice of Hrg				
✓	Aff.Mail	W/			
	Aff.Pub.				
	Sp.Ntc.				
✓	Pers.Serv.				
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt	X			
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
	UCCJEA				
✓	Citation	W/			
	FTB Notice				
				Reviewed by: KT	
				Reviewed on: 1/27/15	
				Updates:	
				Recommendation:	
				File 10 - Shannon	

NEEDS/PROBLEMS/COMMENTS (cont.):

3. Petition does not ask for medical consent powers (item 1g of the petition). It appears that the petitioner may have intended to request said powers.
4. Capacity Declaration of Kevin Marmolejo, M.D. is incomplete. In support of medical consent powers box #7 must be initialed by the physician.
5. Petition requests 2590 Powers but does not indicate which 2590 powers are requested. Local Rule 7.15.2 states it is the policy of the court to grant only those independent powers necessary in each case to administer the estate. Each independent power must be justified, and narrowly tailored to the specific circumstances of the case.
6. Need Conservatorship Video Viewing Receipt.
7. Petition lists **Ty Shannon** as a grandchild of the conservatee. Proof of service shows notice mailed to **Ty Tucker**. Need clarification.

Note: If the petition is granted, status hearings will be set as follows:

- **Wednesday, March 4, 2015** at 9:00 a.m. in Department 303, for the filing of the bond.
- **Wednesday, June 3, 2015** at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal.
- **Wednesday, April 6, 2016** at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution.

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.

Petition for Order Confirming Successor Trustee and Trust Assets

		<p>H. RICK LEAS, Successor Trustee, is Petitioner.</p> <p>Petitioner states Trustor Mary J. Steffen created the Mary J. Steffen Living Trust on 5-9-13 and intended to transfer all assets to the trust pursuant to Trust Section 1.03(a) and separate Assignment of Personal Property.</p> <p>Petitioner requests Court determination that the assets set forth on Exhibit B, consisting of Pacific Western Savings Account xx7952, is subject to the management and control of Petitioner as Successor Trustee.</p> <p>Petitioner states the account is listed on the Trust's Schedule A as "Capital Source Bank," which was acquired by parent company PacWest Bancorp. This account was assigned to the Trust under Section 1.03, but was not put into the name of the Trust.</p> <p>Petitioner cites Estate of Heggstad, Probate Code §15200(a), and the decedent's pour-over will attached as Exhibit D.</p> <p>Petitioner prays for an order that:</p> <ol style="list-style-type: none"> 1. The Mary J. Steffen Living Trust dated 5-9-13 is in existence; 2. The assets set forth on Exhibit "B" to this petition are assets subject to the management and control of Petitioner as Successor Trustee of the Mary J. Steffen Living Trust dated 5-9-13; and 3. For such other and further relief as the Court may deem just and proper. 	<p>NEEDS/PROBLEMS/COMMENTS:</p>	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			<p>Reviewed by: skc</p> <p>Reviewed on: 1-27-15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 11 - Steffen</p>	

DOD: 2-15-13		AMBER LYNNE WHITE , Daughter, was appointed as Executor with Full IAEA without bond on 5-13-13.	NEEDS/PROBLEMS/COMMENTS:
		At the hearing on 5-13-13, the Court set this status hearing for the filing of the petition for final distribution pursuant to Probate Code §12200.	1. Need first account or petition for final distribution pursuant to Probate Code §12200 or verified written status report pursuant to local rules.
Cont. from 071114, 111014		I&A filed 9-4-13 indicates a total estate value of \$585,750.00 consisting of decedent's interest in various real property.	
Aff.Sub.Wit.			
Verified		"Status Conference Statement" filed 7-8-14 by Attorney Hemb (not verified) states the estate consists of a 50% undivided interest in real property valued at \$585,750, far higher than initially thought, based on its proximity to Reagan educational complex. The Executor and the other owner have agreed to sell the property. One bid has been received to date, but is considered too low. The property is actively marketed.	
Inventory			
PTC		"Status Conference Statement" filed 10-30-14 by Attorney Hemb (not verified) states the property has received several offers, the last exceeding \$800,000 for the entire parcel. However, the personal representative and other owner believe that an offer in excess of \$1M for the entire parcel is feasible. The property continues to be actively marketed.	
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Case No. 14CEPR00420

DOD: 6-17-13	HOWARD YOUNG , Brother, was appointed as Administrator with Full IAEA with bond of \$205,000.00 on 7-14-14.	NEEDS/PROBLEMS/COMMENTS: 1. Need Inventory and Appraisal pursuant to Probate Code §8800 or verified written status report pursuant to Local Rule 7.5.
Cont from 121514	At the hearing on 7-14-14, the Court set this status hearing for the filing of the Inventory and Appraisal.	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	On 9-2-14, the Court amended its order to reflect Limited IAEA and no bond was required.	
Aff.Mail	Letters issued on 9-5-14.	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 1-26-15
		Updates:
		Recommendation:
		File 14 - Young

Atty Edwards, Mark D. (for Co-Conservators Johannes Shoemaker and Catharina Vandepavert)
 Atty Lind, Ruth P. (Court-appointed for Conservatee)

Probate Status Hearing RE: Filing of Inventory and Appraisal

		NEEDS/PROBLEMS/COMMENTS: OFF CALENDAR <i>Final Inventory and Appraisal was filed 10/28/2014.</i>
Cont. from 121715		
<input type="checkbox"/>	Aff.Sub.Wit.	
<input type="checkbox"/>	Verified	
<input checked="" type="checkbox"/>	Inventory	
<input type="checkbox"/>	PTC	
<input type="checkbox"/>	Not.Cred.	
<input type="checkbox"/>	Notice of Hrg	
<input type="checkbox"/>	Aff.Mail	
<input type="checkbox"/>	Aff.Pub.	
<input type="checkbox"/>	Sp.Ntc.	
<input type="checkbox"/>	Pers.Serv.	
<input type="checkbox"/>	Conf. Screen	
<input type="checkbox"/>	Letters	
<input type="checkbox"/>	Duties/Supp	
<input type="checkbox"/>	Objections	
<input type="checkbox"/>	Video Receipt	
<input type="checkbox"/>	CI Report	
<input type="checkbox"/>	9202	
<input type="checkbox"/>	Order	
<input type="checkbox"/>	Aff. Posting	
<input type="checkbox"/>	Status Rpt	
<input type="checkbox"/>	UCCJEA	
<input type="checkbox"/>	Citation	
<input type="checkbox"/>	FTB Notice	
		Reviewed by: LEG Reviewed on: 1/28/15 Updates: Recommendation: File 15 - Matsumura

DOD: 4-28-89		SPECIAL ADMINISTRATION EXPIRES 10-29-14, extended to 12-17-14 FREMON GRAVES , Son-in-law, was appointed as Special Administrator on 8-27-14 with authorization to obtain a settlement check from the Black Farmers' Discrimination Litigation Claims Administrator and deposit same into a blocked account. At the hearing on 8-27-14, the Court set status hearing for 10-29-14. On 10-29-14, the Court ordered Mr. Boyajian to submit order to deposit money into a blocked account, extended the Special Administration to 12-17-14, and Court set this further status hearing on 12-17-14. On 10-28-14, Attorney Boyajian filed an unverified status report. On 12-9-14, Attorney Boyajian filed another unverified status report. On 1-27-15, Attorney Boyajian filed another unverified status report. On 1-27-15, the Public Administrator filed a report stating that if the Court determines that the special administrator acted inappropriately, the Public Administrator is willing to act as administrator of the estate. <u>SEE ADDITIONAL PAGES</u>	NEEDS/PROBLEMS/COMMENTS: 1. <u>Need Duties and Liabilities of Personal Representative and Confidential Supplement DE-147 and DE-147S.</u> 2. The status report is not verified by the Special Administrator. 3. Need Receipt for Blocked Account (MC-356). Note: It does not appear that an <u>Order to Deposit Money Into Blocked Account (MC-355)</u> was ever submitted to the Court for signature. It is unclear why this was not accomplished immediately on an ex parte basis upon learning Bank of America's requirement. <u>Note: On 1-22-15, Mr. Boyajian submitted an Order Appointing Special Administrator with an expiration date of 12-17-14 (form DE-140); however, this is not the appropriate order to block the funds, and the Court cannot issue a new order that has already expired.</u> <u>Note: Mr. Boyajian filed a status report on 1-27-15 that refers to this order.</u> 4. The Status Report indicates that funds were deposited into an unblocked account and have been accessed by Mr. Graves. The Special Administrator was given authority <u>only</u> to obtain the settlement check due to the impending deadline and deposit same into a blocked account (i.e., marshal the asset of the estate). The Special Administrator does not have authority to distribute or access the estate funds. 5. The Court may require accounting pursuant to Probate Code §8546.
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Reviewed by: skc
Reviewed on: 1-27-15
Updates:
Recommendation:
File 16 – Logan

Status Report (unverified) filed by Attorney Boyajian on 10-28-14 states: The settlement funds from the Black Farmers Discrimination Administrators had to be claimed by 8-30-14. The Court's order of 8-28-14 was submitted to the Black Farmers Discrimination Administrators and to the Bank of America, Fig Garden Financial Center to implement the Court's orders. They spent about 2 weeks to a month with Bank of America attempting to implement the orders. The local bank stated they could establish a blocked account for the funds, but then they determined after a call to their legal department that they couldn't.

The Black Farmers Discrimination Administrator sent a check for \$50,000.00 instead of \$62,500.00 (as stated in the Court order) because \$12,500.00 was paid directly to the IRS. The bank would not accept the check because it had a different amount than stated in the order.

Because the check had to be deposited before 9-25-14, it was incumbent that it be deposited or the check would void. Therefore, the check was deposited at the Special Administrator's branch where his personal funds are deposited in a separate account in the name of the Estate of Wesley Logan at the Union Bank at Shaw and Marks. At this time, Union Bank is awaiting a Court Order to block the account.

Mr. Boyajian requests to continue the special administration for a reasonable time to implement the Court's orders and distribute funds to Rachel Graves.

Minute Order 10-29-14: Mr. Boyajian will submit order to deposit money from proceeds into blocked account. Special Letters extended to 12-17-14.

Status Report (unverified) filed by Attorney Boyajian on 12-9-14 states: The sole asset in this matter is settlement proceeds from a litigation lawsuit involving Black Farms v. USDA. If the settlement proceeds were not legally claimed by 8-30-14, they would be extinguished. The Court orders of 8-28-14 were submitted to the Black Farmers Discrimination Administrators and to the Bank of America, Fig Garden Financial Center to implement the Court orders. They requested that Bank of America open an account and that the Black Farmers Administrators deposit the settlement check directly into the account. They spent three weeks to a month attempting to implement the orders. The local Bank of America determined that they couldn't establish a blocked account.

The Black Farmers Discrimination Administrator sent a check for \$50,000.00 directly to the Special Administrator. Bank of America would not accept the check because it was for \$50,000.00 and the Court order was for \$62,500.00. This is because the Black Farmers Administrator had paid \$12,500.00 to the IRS.

The check was void if not negotiated by 9-25-14; therefore, it was deposited with the Special Administrator's bank, but in a separate account from his personal funds. The account was opened in the name of Estate of Wesley Logan at Union Bank at Shaw and Marks. At this time, Union Bank is awaiting a Court order which would allow them to block the account.

Attorney's Status Report (Continued): On 10-29-14, the Court extended the Special Administration until 12-17-14 and ordered the account containing the settlement payment be blocked. Mr. Boyajian states they called Mr. Graves on numerous occasions requesting that he sign the Letters of Administration and had planned on submitting the Court Orders with the signed Letters. Mr. Graves has refused to sign the Letters wo orders were submitted to the Court Clerk without the needed Letters to implement the Court order as soon as possible.

Mr. Graves is upset because Bank of America did not implement the deposit at their bank location and he seems to be blaming the attorney for Bank of America's actions. The honorable Judge Robert Oliver at Mr. Graves' attorneys' urging explained the entire process to Mr. Graves involving how the funds were to be transferred to the proper individuals. Mr. Graves' attorney had explained on many different occasions the legal process and in open Court Mr. Graves' attorney requested that Judge Oliver explain the process. Mr. Graves seemed to understand the Judge's explanation.

Mr. Graves believes that since the funds are in a bank account that he and his wife should be able to access such funds without further intervention by the Court. He believes that his attorney is perpetuating the matter and prolonging the process. At this time, there is friction and differences of opinion as to how to continue and resolve the matter. The friction was a result of the attorney discovering that Mr. Graves had withdrawn funds from the account, which is completely at odds with the first Court order.

Mr. Graves has requested that he be allowed to speak to the current judge to rectify and complete the process. The attorney has no problem with Mr. Graves speaking directly to the judge.

The attorney requests that Mr. Graves be ordered to cooperate in resolving this matter so the funds can be allocated to the proper individual. In the alternative, the attorney requests that the Court remove Mr. Graves as Special Administrator and appoint a reputable and responsible alternative.

			<p align="center"><u>SEE PETITION FOR DETAILS</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 12/01/2014: Ms. Flores represents that she will also be filing a petition.</p> <p>As of 01/27/2015 a petition has not been filed by Ms. Flores.</p>
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			Reviewed by: LV	
			Reviewed on: 01/27/2015	
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			Recommendation:	
			File 18 – Bolech	

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: <u>Continued from 10/15/14, 12/15/14.</u> As of 1/27/15 nothing further has been filed. The following issues remain: 1. Need <i>Notice of Hearing</i> . 2. Need proof of service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> Consent and Waiver of Notice <u>or</u> Declaration of Due Diligence for: a. Earl Sean Mister (father) – personal service required b. Tramaree Parker (mother) – personal service required c. Paternal grandparents – service by mail sufficient 3. UCCJEA is incomplete. Need minor's residence address for the past 5 years.	
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✓	UCCJEA			
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			Reviewed by: JF	
			Reviewed on: 1/27/15 (skc)	
			Updates:	
			Recommendation:	
			File 19 - Mister	

Petition for Probate of Will and for Letters Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 2-4-14		THOMAS OHANIAN , Father, is Petitioner and requests appointment as Administrator with Full IAEA without bond. Full IAEA – ok Decedent died intestate Residence: Clovis Publication – Fresno Bee Estimated value of estate: \$0 Probate Referee: Rick Smith	NEEDS/PROBLEMS/COMMENTS: <u>Minute Order 12-8-14:</u> Mr. Ohanian will need to provide the Court with points and authorities as to why this probate needs to be opened. <u>See Supplement filed 1-26-15.</u> <u>The following issues remain noted for reference:</u> 1. Petitioner states the estimated value of the estate is zero (\$0) and Petitioner requests appointment as Administrator for the sole purpose of “a paternity matter in Ventura County.” The Court may require clarification regarding the estimated value of the estate and the circumstances of the Ventura County matter referenced. 2. Petitioner requests appointment without bond; however, the decedent was survived by two minor children. If there are assets of the estate, Bond cannot be waived for minor heirs. 3. Need Letters. <u>Note:</u> If granted, the Court will set status hearings as follows: <ul style="list-style-type: none"> Monday 3-16-15 for filing of bond Monday 6-1-15 for filing of Inventory and Appraisal (Probate Code §8800) Monday 6-6-16 for filing first account or petition for final distribution (Probate Code §12200) If the proper items are on file, the Court may take the status hearings off calendar. If not, verified written status report is required. Local Rule 7.5.
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Reviewed by: skc	
Reviewed on: 1-26-15	
Updates: 1-28-15	
Recommendation:	
File 20 -Ohanian	

Pro Per Myles, Sr., Richard Berry (Pro Per Petitioner, maternal grandfather)
 Pro Per Cumbry, Adrian (Pro Per Objector, father)

Petition for Appointment of Temporary Guardianship of the Person (Prob. C. 2250)

			<p align="center"><u>General Hearing set for 3/16/2015</u></p> <p>RICHARD BERRY MYLES, SR., maternal grandfather, is Petitioner.</p> <p align="center">~Please see Petition for details~</p> <p>Objection to Guardianship filed by ADRIAN L. CUMBRY, father, on 1/26/2015</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note to Objector:</u></p> <p>1. Need proof of service by mail of a copy of the <i>Objection to Guardianship</i> filed on 1/26/2015 for the following persons:</p> <ul style="list-style-type: none"> • Lela Nicole Myles, mother; • Richard Berry Myles, Sr., maternal grandfather (Petitioner); • paternal grandfather.
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			<p>Reviewed by: LEG</p> <p>Reviewed on: 1/28/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 23 - Cumbry</p>	

Pro Per Del Rio, Margarita (Pro Per Petitioner,

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

NO TEMPORARY REQUESTED		NEEDS/PROBLEMS/COMMENTS:	
MARGARITA DEL RIO , non-relative, is Petitioner.		<p>1. Page 2 of the <i>Child Information Attachment</i> filed 12/2/2014 is incomplete (blank) at Item 2 which requires the names and addresses of all of the child's relatives to be listed. Need completed <i>Child Information Attachment</i> that includes the names of the child's mother, father, maternal grandparents, paternal grandparents, and any siblings.</p> <p>2. Need <i>Notice of Hearing</i> and proof of personal service of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian</i>, or <i>Consent to Appointment of Guardian</i> and <i>Waiver of Notice</i>, or a <i>Declaration of Due Diligence</i>, for all of the child's relatives pursuant to Probate Code § 1511(b)(3).</p> <p>3. <i>UCCJEA</i> filed 9/10/2013 is incomplete (blank) and does not include any dates or addresses of the child's residence.</p>	
~Please see Petition for details~			
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Reviewed by: LEG			
Reviewed on: 1/28/15			
Updates:			
Recommendation:			
File 24 - Arreola			